

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA JESS CANTU,

Plaintiff,

v.

FNU WARD, ET. AL.,

Defendants.

Case No. 1:20-cv-00386-NONE-HBK

ORDER GRANTING DEFENDANTS'  
MOTION FOR ENLARGEMENT OF TIME

(Doc. No. 24)

Pending before the Court is an *ex parte* motion for enlargement of time filed on behalf of Defendants D. Cortez, P. Dunn, P. Ward, B. Xiong, and J. A. Soto including a support declaration from counsel on August 20, 2021. (Doc. No. 24). Defendants request an order to extend the deadline for the filing of a responsive pleading to Plaintiff's First Amended Complaint ("FAC"). (*Id.*).

Fed. R. Civ. P. 6(b) provides for extending deadlines for good cause shown, if the request to extend time is made before the original time, or its extension expires; or, on a motion made after the time has expired, if the party failed to act because of excusable neglect. Additionally, Fed. R. Civ. P. 16(b)(4) permits a court to modify a scheduling order for good cause shown and with the judge's consent. Here, Defendants filed their motion before the time expired and have established good cause to extend their deadline to respond to the FAC.

1 Accordingly, it is **ORDERED**:

- 2 1. Defendants' motion for an enlargement of time (Doc. No. 24) is GRANTED.
- 3 2. Defendants shall file a responsive pleading to Plaintiff's First Amended Complaint no
- 4 later than **October 22, 2021**.

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6 Dated: August 30, 2021



7 HELENA M. BARCH-KUCHTA  
8 UNITED STATES MAGISTRATE JUDGE

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